

RCE/1617/8

PTO/SB/30 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

<i>#26</i>	
Application Number	09/334,537
Filing Date	June 16, 1999
Examiner Name	S. Wang
First Named Inventor	Raja G. Achari
Group Art Unit	1617
Attorney Docket Number	2300-3-3 formerly NPCI-0135

AKD  
5-22-03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b. Enclosed
  - i.  Response
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

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2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge any additional fees or credit any overpayments, to Deposit Account No. 07-1897
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 750.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Jeffrey J. King	Registration No. (Attorney/Agent)	38,515
Signature		Date	May 13, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Name (Print /Type)	Donna Zimmerman	Date	May 13, 2003
Signature			

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Docket No.: 2300-3-3 formerly NPCI-0135

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner: S. Wang

#27/B  
HKO  
5-22-03

Raja G. Achari, et al.

Application No.: 09/334,537

REPLY

Filed: June 16, 1999

EXPEDITED PROCEDURE  
EXAMINING GROUP 1617

For: PHARMACEUTICAL FORMULATIONS AND METHODS COMPRISING  
INTRANASAL MORPHINE

DATE OF DEPOSIT: May 13, 2003

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AMENDMENT

Sir:

Further to the Notice of Appeal received by the Office on November 13, 2002, and in reply to the Office Action mailed on May 7, 2002, please enter and consider the following remarks. A Request for Continued Examination (RCE) and a Petition for Extension to extend the appeal period for four (4) months from the date of receipt of the Notice of Appeal to May 13, 2003 are filed herewith.

Please amend the application as follows: